

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

ANTHONY DEVON HERRING

Petitioner

v.

STATE OF NORTH CAROLINA; ALVIN  
W. KELLER

Respondents

**Judgment in a Civil Case**

Case Number: 5:08-HC-2112-D

**Decision by Court.**

This action came before the Honorable James C. Dever III, United States District Judge, for consideration of the respondent's second motion for summary judgment.

**IT IS ORDERED AND ADJUDGED** that respondent's second motion for summary judgment is granted and this action is hereby dismissed.

This Judgment Filed and Entered on August 20, 2010, with service on:

Anthony Devon Herring 0180133, Warren Correctional Institution, P.O. Box 399, Manson, NC 27553 (via U.S. Mail)

Clarence J. DelForge (via CM/ECF Notice of Electronic Filing)

August 20, 2010

/s/ Dennis P. Iavarone

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Clerk

Raleigh, North Carolina